IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Bail Appl..No. 987 of 2007

AGAINST THE ORDER DATED 03/01/2007 IN CMP 53/07 IN CP.137/2006 of J.M.F.C.-II,KOTTARAKKARA
CRIME NO.114/2004 OF POOYAPPALLY POLICE STATION

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PETITIONER/IST ACCUSED

MADHU, S/O.RAJAN,
PULANJIPACHA VEEDU, THANIMUKKU,
KARINGANNOOR, VELINALLOOR VILLAGE,
FROM BABY VILASOM, KUTTICADU, MIYYANADU VILLAGE.

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
POOYAPPALLY POLICE STATION, KOTTARAKKARA.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 987 OF 2007

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DATED THIS THE 23rd DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the first accused in Crime No.114/04 of Pooyappally Police Station for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 5.4 litres of illicit arrack in 30 packets on 8.4.2004 and who was arrested on 1.1.2007, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Kottarakkara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn